

**REMARKS**

Claims 1-31 are active in this application.

The obviousness-type double patenting rejection of Claims 1-31 over Claims 1-9 of U.S. 6, 740,779 is traversed.

As acknowledged by the Examiner in the Interview Summary, the claims of U.S. 6, 740,779 fail to disclose or suggest a process for the catalytic gas-phase oxidation of propene to acrylic acid, in which

-in the second stage a **reaction gas starting mixture 2 is used which comprises molecular oxygen and acrolein and at least one inert gas which comprises at least 20% by volume of molecular nitrogen,**

-a loading of said second fixed-bed catalyst with the acrolein contained in reaction gas starting mixture 2 is  $\geq 140$  l(S.T.P.) of acrolein/l of catalyst bed  $\cdot$  h **as claimed under e) in Claim 1,**

-the reaction zone C extends to an acrolein conversion of from 55 to 85 mol% **as claimed in h) of Claim 1.**

Thus, the obviousness-type double patenting rejection should be withdrawn.

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Reply to Office Action of December 10, 2004

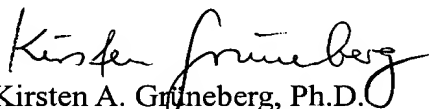
This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

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